

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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INTEGRATED HEALTH SERVICES OF  
CLIFF MANOR, INC., INTEGRATED  
HEALTH SERVICES AT RIVERBEND, INC.  
INTEGRATED HEALTH SERVICES AT  
SOMERSET VALLEY, INC., ALPINE  
MANOR, INC., BRIARCLIFF NURSING  
HOME, INC., INTEGRATED HEALTH  
GROUP, INC., SPRING CREEK OF IHS, INC.,  
FIRELANDS OF IHS, INC., ELM CREEK OF  
IHS, INC., and IHS LONG TERM CARE  
SERVICES, INC.,

Plaintiffs-Counterclaim  
Defendants,

v.

THCI COMPANY LLC,

Defendant,

v.

ABE BRIARWOOD CORPORATION and  
JOHN DOES 1-10,

Additional Counterclaim  
Defendants.

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Civil Action No. 04-910 (GMS)

**DEFENDANT THCI COMPANY LLC'S RENEWED CROSS-MOTION FOR  
PARTIAL SUMMARY JUDGMENT AND RESPONSE TO PLAINTIFFS' RENEWED  
MOTION FOR PARTIAL SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

On May 31, 2005, Plaintiffs filed their motion for partial summary judgment and papers in support thereof (Docket Nos. 70, 71, 72, and 74) ("Plaintiffs' Motion"). On June 15, 2005, THCI Company LLC ("THCI") filed its opposition to Plaintiffs' Motion, cross-motion for partial summary judgment, and papers in support thereof (Docket No. 75) (the "Opposition and

Cross-Motion”). On June 22, 2005 Plaintiffs filed their reply and declaration in support of Plaintiffs’ Motion (Docket Nos. 76 and 77). On June 29, 2005, THCI filed its reply in support of the Opposition and Cross-Motion (Docket No. 78). Plaintiffs’ Motion and THCI’s Opposition and Cross-Motion were withdrawn without prejudice by so-ordered stipulation entered on March 31, 2006 (Docket No. 147). On April 12, 2006 Plaintiffs renewed Plaintiffs’ Motion and the papers filed in support thereof (Docket No. 157) (“Plaintiffs’ Renewed Motion”).

In response to Plaintiffs’ Renewed Motion, THCI, by and through its undersigned counsel, hereby renews its Opposition and Cross-Motion (Docket No. 75), and all papers supporting that Opposition and Cross Motion (Docket Nos. 75 and 78), which are incorporated by reference herein.

CONNOLLY BOVE LODGE & HUTZ LLP

*/s/ Collins J. Seitz, Jr.*

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Collins J. Seitz, Jr. (Bar No. 2237)  
Kevin F. Brady (Bar No. 2248)  
1007 North Orange Street  
Wilmington, DE 19801  
Tel: (302) 658-9141  
Fax: (302) 658-5614

*Attorneys for Defendant  
THCI Company LLC*

OF COUNSEL:

David S. Sager  
Paul R. Marino  
PITNEY HARDIN LLP  
P.O. Box 1945  
Morristown, New Jersey 07962  
Tel: (973) 966-6300  
Fax: (973) 966-1015

DATED: May 10, 2006

**CERTIFICATE OF SERVICE**

I certify that on May 10, 2006, copies of Defendant THCI Company LLC's Renewed Cross-Motion for Partial Summary Judgment and Response to Plaintiffs' Renewed Motion for Partial Summary Judgment Pursuant to Fed.R.Civ.P. 56 were served by LexisNexis File & Serve to counsel of record as follows:

Richard William Riley, Esquire  
Duane Morris LLP  
1100 North Market Street  
Suite 1200  
Wilmington, DE 19801

/s/ Collins J. Seitz, Jr.

Collins J. Seitz, Jr. (Bar No. 2237)  
Connolly Bove Lodge & Hutz LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899